

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CHRISTINE PEDDY,

Plaintiff,

v.

L'ORÉAL USA INC.,

Defendant.

Case No. 18-CV-07499 (RA)

**DECLARATION OF ERIC A. SAVAGE**

I, **ERIC A. SAVAGE**, an attorney duly admitted to practice before this Court, hereby declare under penalty of perjury that the following is true and correct:

1. I am an attorney with the law firm of Littler Mendelson, P.C., counsel for Defendant L'Oréal USA Inc. ("L'Oréal" or "Defendant") in this action. As one of the attorneys on this case, I am fully familiar with the facts and circumstances set forth herein based on the pleadings and the discovery record submitted herewith. I make this declaration to put before the Court certain documents and testimony relevant to Defendant's motion for summary judgment.

2. Attached hereto as **Exhibit A** is a true and correct copy of excerpts from the deposition of Plaintiff Christine Peddy taken on July 24, 2019.

3. Attached hereto as **Exhibit B** is a true and correct copy of excerpts from the deposition of Farida Mercedes taken on September 10, 2019.

4. Attached hereto as **Exhibit C** is a true and correct copy of excerpts from the deposition of Sarah Hibberson (Hrudkowsky) taken on October 4, 2019.

5. Attached hereto as **Exhibit D** is a true and correct copy of excerpts from the deposition of Lisa Morris (Melissa Morris Bacallao) taken on October 18, 2019.

6. Attached hereto as **Exhibit E** is a true and correct copy of excerpts from the deposition of Scott Brittingham taken on October 29, 2019.

7. Attached hereto as **Exhibit F** is a true and correct copy of excerpts from the deposition of Michelle Ryan taken on October 30, 2019.

8. Attached hereto as **Exhibit G** is a true and correct copy of excerpts from the deposition of Sean Killeen taken on October 30, 2019.

9. Attached hereto as **Exhibit H** is a true and correct copy of excerpts from the deposition of Matthew Fennell taken on November 13, 2019.

10. Attached hereto as **Exhibit I** is a true and correct copy of the Plaintiff's Complaint in this action filed on August 17, 2018 in the Southern District of New York ("Compl.").

11. Attached as **Exhibit J** is a true and correct copy a "Notice of Charge of Discrimination" from the District Director of the EEOC dated June 8, 2018.

12. Attached as **Exhibit K** is a true and correct copy of Plaintiff's 2015 Year-End Review, bates stamp labeled as "LUSA – 0082-85".

13. Attached as **Exhibit L** is a true and correct copy of Plaintiff's 2016 Year-End Review, bates stamp labeled as "LUSA – 0086-89".

14. Attached as **Exhibit M** is a true and correct copy of the April 14, 2016 Severance Agreement offered to Plaintiff, bates stamp labeled as "LUSA – 0001-00018".

15. Attached as **Exhibit N** is a true and correct copy of the June 14, 2016, Email Chain re "Private – Raise an issue / formal grievance," bates stamp labeled as "Plaintiff Doc. 00148-151".

16. Attached as **Exhibit O** is a true and correct copy of Plaintiff's 2017 Mid-Year Review, bates stamp labeled as "LUSA – 0090-92".

17. Attached as **Exhibit P** is a true and correct copy of the September 21, 2017, Email Chain re "Talent Review Charts" bates stamp labeled as "LUSA 04771-4774".

18. Attached as **Exhibit Q** is a true and correct copy of the November 1, 2017, End-Year Review bates stamp labeled as “LUSA 0090-92”.

19. Attached as **Exhibit R** is a true and correct copy of the November 14, 2017 Severance Agreement offered to Plaintiff, and accompanying Schedule A, bates stamp labeled as “Plaintiff Doc. 00007-24”.

20. Attached as **Exhibit S** is a true and correct copy of the Schedule A accompanying the November 14, 2017, Severance Agreement with all names and job titles displayed, bates stamp labeled as “LUSA05279”.

21. Attached as **Exhibit T** is a true and correct copy of the November 20, 2017, Email Chain re “Follow-up” bates stamp labeled as “LUSA 00763-764”.

22. Attached as **Exhibit U** is a true and correct copy of the November 28, 2017, Email Chain re “Transition to open Kiehl’s AVP position” bates stamp labeled as “LUSA 00765-767”.

23. Attached as **Exhibit V** is a true and correct copy of the December 8, 2017, Email Chain re “Meeting with Christine Peddy” bates stamp labeled as “LUSA05349-5352”.

24. Attached as **Exhibit W** is a true and correct copy of the December 11, 2017, Email Chain re “45 days is Dec 29th” bates stamp labeled as “LUSA 00768”.

25. Attached as **Exhibit X** is a true and correct copy of the December 14, 2017, Email Chain re “AVP – Strategic Planning/Key Accounts – Internal Applicant – Christine Peddy” bates stamp labeled as “LUSA 00769”.

26. Attached as **Exhibit Y** is a true and correct copy of the December 21, 2017, Email Chain re “Salary Confirmation Statement...” bates stamp labeled as “Plaintiff Doc. 00004-00005”.

27. Attached as **Exhibit Z** is a true and correct copy of the January 5, 2018 Email Chain re “Transition items: Peddy” bates stamp labeled as “Plaintiff Doc. 00034-36”.

28. Attached as **Exhibit AA** is a true and correct copy of the May 2, 2019 Korn Ferry Production, enclosing the 2016 survey results, bates stamp labeled as “Korn Ferry Document 00001-78”.

29. Attached as **Exhibit BB** is a true and correct copy of Plaintiff’s August 25, 2019 Supplement Production.

30. Attached as **Exhibit CC** is a true and correct copy of L’Oréal’s Code of Ethics, bates stamp labeled as “LUSA0466-505”.

31. Attached as **Exhibit DD** is a true and correct copy of the “AVP of Marketing, National Accounts and Stores,” Job Description, bates stamp labeled as “LUSA 00780-781”.

32. Attached as **Exhibit EE** is a true and correct copy of Sarah Madelyn Jung’s Resume, bates stamp labeled as “LUSA05179”.

33. Attached as **Exhibit FF** is a true and correct copy of Sarah Berman’s Resume, bates stamp labeled as “LUSA05334-5336”.

34. Attached as **Exhibit GG** is a true and correct copy of the spreadsheet listing “Employees in the Sales & Marketing Divisions, in the NYO, at the Director Level and Above,” bates stamp labeled as “LUSA05278-5297”.

35. Attached as **Exhibit HH** is a true and correct copy of the spreadsheet listing all open jobs listed on Avature and applied to by Christine Peddy, bates stamp labeled as “LUSA05327”.

36. Attached hereto as **Exhibit II** is a true and correct copy of excerpts from the deposition of Carol Realson taken on November 11, 2019.

I declare under penalty of perjury, that the foregoing is true and correct.

Date: February 20, 2020  
New York, New York

A handwritten signature in black ink, appearing to read "E.A. Savage". The signature is fluid and cursive, with the first name "Eric" and last name "Savage" clearly distinguishable.

---

Eric. A. Savage